

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 2/3/2008 has been entered.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 21-24 and 29-33 are rejected under 35 U.S.C. 102(e) as being anticipated by Mano et al. (US Patent No. 6,883,600).

Claim 21:

Mano teaches a method for making a heat exchanger tank assembly comprising manufacturing a one piece double baffle (36, figure 4) folded so that the one-piece double baffle includes at least two baffle profiles (36a) roughly parallel to each other and a tab (front edge portion, best seen in figure 14) at an area of insertion on the double

baffle having peripheral walls that form a central chamber (area between 36a) after brazing the heat exchanger; providing a heat exchanger end tank (16) which comprises a contact area (33) comprising a slot for insertion of the tab of the double baffle and an interior side distal the contact area; aligning the tab of the baffle and the end tank contact area so that the tab may be inserted into the contact area (figure 14); inserting the one-piece double baffle in the end tank at the contact area of the end tank; and applying a sealing technique such that the double baffle remains in place after the assembly process (abstract) and the completed heat exchanger may be used in automotive applications (col. 1, lines 5-12), so that when assembled the central chamber width between the walls of the double baffle is larger near the contact area of the end tank than at the interior side (figure 4).

Claims 22 and 23:

Mano teaches extending the tab through the outer wall of the end tank (figure 4) and forming a leak tight seal (abstract).

Claim 24:

Mano teaches that each of the baffle profiles has a common central portion (36b) and forming a chamber portion, the baffle profiles being basically perpendicular to the tank wall surface (figure 4).

Claims 29-33:

Mano teaches a method for making a heat exchanger tank assembly comprising manufacturing a one-piece double baffle (figure 9) formed from one contiguous piece of material comprising an end tab (ends of 36a best seen in figure 14) at an area of

insertion, the double baffle having peripheral walls (36a, 36b) that form a central chamber; providing a heat exchanger end tank (16) which comprises a contact area (33) comprising a slot for insertion of the tab of the double baffle; providing a relief means (square hole in figure 9) oriented such that after assembly the relief means is located contiguous and through the thickness of the tab; aligning the tab of the baffle and the end tank contact area so that the tab may be inserted into the contact area (figure 14); inserting the one-piece double baffle in the end tank at the contact area of the end tank (figure 14); and applying a sealing technique such that the double baffle remains in place after the assembly process (abstract) and the heat exchanger assembly may be used in automotive applications (col. 1, lines 5-12).

Response to Arguments

4. Applicant's arguments with respect to the claims have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Christopher M. Koehler whose telephone number is (571)272-3560. The examiner can normally be reached on Mon.-Fri. 7:30A-4:00P.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David P. Bryant can be reached on (571) 272-4526. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 3726

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/C. M. K./
Examiner, Art Unit 3726

/David P. Bryant/
Supervisory Patent Examiner, Art Unit 3726